

Entered on Docket

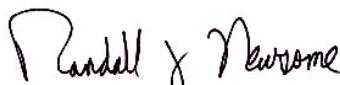
July 22, 2010

GLORIA L. FRANKLIN, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



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HARPAL KAUR GILL
7
8
9

Signed: July 21, 2010



RANDALL J. NEWSOME
U.S. Bankruptcy Judge

10 UNITED STATES BANKRUPTCY COURT

11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 **In re**

13 **HARPAL KAUR GILL,**

15 **Debtor.**

16 **HARPAL KAUR GILL,**

17 **Plaintiff,**

19 **vs.**

20 **HSBC MORTGAGE SERVICES, INC. and**
21 **LIME FINANCIAL SERVICES, LTD.,**

22 **Defendants.**

Case No. 08-42624 RJN-13
Chapter 13

ADVERSARY PROCEEDING
NO. 08-04294 RN

DEFAULT JUDGMENT

24 The Complaint to Determine the Nature, Extent and Validity of Lien
25 and To Disallow Secured Claim ("the Complaint") was filed with the Court
26 on October 10, 2008, and an Application For Default Judgment,
27 Declaration of Marlene G. Weinstein and Request For Judicial Notice in
28 support thereof was submitted by plaintiff, Harpal Kaur Gill

Default Judgment

1 ("Plaintiff" and/or "Debtor"), by and through her attorney of record,
2 Marlene G. Weinstein of the Law Office of Marlene G. Weinstein, with
3 respect to avoiding the lien of defendants, HSBC MORTGAGE SERVICES,
4 INC. ("HSBC MORTGAGE") and LIME FINANCIAL SERVICES, LTD. ("LIME
5 FINANCIAL") [hereinafter referred to collectively as "the Lienholders"],
6 which lien is evidenced by the deed of trust recorded on April 18, 2006,
7 in the Official Records of Contra Costa County, as Document Number 2006-
8 0120355-00, against Plaintiff's real property commonly known as 5028
9 Garvin Avenue, Richmond, California 94825 ("the Property"), and more
10 fully described below:
11

12 Lot 2, Block 19, Map of East Richmond Blvd., Filed April 6,
13 2908, Map Book 1, Page 19, Contra Costa County Records.
14

15 Assessor's Parcel Number: 523-042-004-3.
16

17 The Court finds that service upon Lienholders was proper. The
18 Lienholders having failed to file answers to the Complaint and defaults
19 against the Lienholders having been entered by the Court, and good cause
20 appearing therefor,

21 **IT IS HEREBY ORDERED** that judgment in the above-captioned adversary
22 proceeding is hereby entered in favor of Plaintiff and against the
23 Lienholders, as follows:
24

25 1. For purposes of Debtor's Chapter 13 plan only, the lien
26 evidenced by the deed of trust recorded on April 18, 2006, in the
27 Official Records of Contra Costa County, as Document Number 2006-
28 0120355-00 ("the LIEN"), is valued as zero;

2. HSBC MORTGAGE SERVICES, INC. does not have a secured claim;

3. LIME FINANCIAL SERVICES, LTD. does not have a secured claim;

4. The LIEN may not be enforced pursuant to 11 U.S.C. §§ 506, (b) (2) and 1327;

5. The within judgment shall become part of Debtor's confirmed Chapter 13 plan;

6. Upon entry of a discharge in Debtor's Chapter 13 case, the LIEN shall be voided for all purposes, and upon application by Debtor, the Court will enter an appropriate form of judgment voiding the LIEN;

7. If Debtor's Chapter 13 case is dismissed or converted to one under another chapter before Debtor obtains a discharge, this judgment shall cease to be effective and the LIEN shall be retained to the extent recognized by applicable nonbankruptcy law, and upon application by the Defendants, the court will enter an appropriate form of order restoring the LIEN; and,

8. Except as provided by a separate, subsequent judgment or order of this court, the LIEN may not be enforced so long as this judgment remains in effect.

* * * END OF ORDER * * *

COURT SERVICE LIST

Michael C. Baldwin, President
LIME FINANCIAL SERVICES, LTD.
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Lake Oswego, OR 97035

Michael C. Baldwin, President
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LIME FINANCIAL SERVICES, LTD.
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Salem, OR 97301

LIME FINANCIAL SERVICES, LTD.
c/o Debra Bowen
California Secretary of State
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Maria Borreson
Authorized Agent for
HSBC Mortgage Services
P.O. Box 21188
Eagan, MN 55121-4201

CT Corporation System
Agent for Service of Process for
HSBC MORTGAGE SERVICES, INC.
818 West Seventh Street
Los Angeles, Ca 90017

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Default Judgment

Deborah A.L. Grimes
Moss Codilis, L.L.P.
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Default Judgment